

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4387 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MAHESHBHAI G SHAH

Versus

MANAGING DIRECTOR

Appearance:

MR RJ OZA for Petitioners

None present for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 20/11/97

ORAL JUDGEMENT

Heard learned counsel for petitioners and perused the Special Civil Application.

2. Grievance of the petitioners is that the action of the respondent-authorities not to give them promotion in the category of Junior Accountant in the pay scale of Rs.425-700 is wholly arbitrary and unjustified.

3. The petitioners have come up with the case that the respondents No.3 to 7 in this Special Civil Application are juniors to them in the category of Junior Clerk and promotion given to them in the category of Junior Accountant in preference to them is wholly arbitrary and unjustified.

4. This Court, in Special Civil Application No.3719 of 1986 and other cognate matters decided on 15.7.96, has decided somewhat identical issue and held that in the Corporation there is no channel of promotion to the post of Junior Accountant from the post of Junior Clerk. The Avenue of promotion from the post of Junior Clerk are provided to the post of Senior Clerk, then Head Clerk, Section Officer, etc. and the claim of petitioners in that petition for promotion to the post of Junior Accountants from the cadre of Junior Clerk was not accepted. In view of this decision of this court, this claim of petitioners made in this Special Civil Application does not stand on merit and it cannot be granted. No other prayer has been pressed by learned counsel for petitioners in this Special Civil Application.

5. In the result, this Special Civil Application fails and the same is dismissed. Rule discharged. Interim relief, if any granted by this Court stands vacated. No order as to costs.

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(sunil)